Docket No. <u>1232-5139</u> Amdt. dated February 20, 2008

## **REMARKS**

Applicant respectfully requests consideration of this application in view of the foregoing amendments and following remarks.

## A. Claim Status / Explanation of Amendments

Claims 8-19 are pending of which claims 11-12 and 15-18 were allowed, claims 13-14 and 19 were rejected, and claims 8-10 were withdrawn from consideration as a result of a previous restriction requirement. Applicant reserves the right to pursue withdrawn claims in a divisional application. Moreover, the indication of allowable subject matter in claims 11-12 and 15-18 is acknowledged with appreciation.

As to the merits, claim 13 was rejected pursuant to 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,781,651 to Hsiao, et al. ("Hsiao"). [1/30/08 Office Action, p. 2]. Claims 14 and 19 were rejected pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over Hsiao in view of U.S. Patent No. 7,034,870 to Nagaoka, et al. ("Nagaoka") [1/30/08 Office Action, p. 3]. By this paper, claims 13-14 and 19 are canceled, thereby rendering the rejection of these claims as moot.

## B. Informal Matters

Since claims 13-14 and 19 have been canceled, the rejections of claim 13 as allegedly being anticipated by Hsiao and of claims 14 and 19 as allegedly being unpatentable over Hsiao in view of Nagaoka are respectfully asserted to be moot. Therefore, it is respectfully submitted that all of the pending claims are now allowable and early, favorable action in that regard is respectfully requested.

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## **CONCLUSION**

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is earnestly solicited. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5139.

By:

Respectfully submitted, MORGAN & FINNEGAN, L.L.P.

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